

787 KAR 1:080. Labor dispute or strike; notification.

RELATES TO: KRS 341.360

STATUTORY AUTHORITY: KRS 151B.020, 341.115

NECESSITY, FUNCTION, AND CONFORMITY: KRS 341.115(1) authorizes the secretary to promulgate administrative regulations necessary to administer KRS Chapter 341. This administrative regulation establishes reporting requirements for an employer to notify the division when a labor dispute or strike begins and ends.

Section 1. (1) If an initial claim for benefits or a reopened claim for benefits is filed by a claimant, the Division of Unemployment Insurance shall immediately notify the claimant's most recent employer of the filing.

(2) If the claimant is unemployed because of a strike or other bona fide labor dispute, the employer, in addition to the notice required under KRS 341.360(1), shall:

(a) Indicate on the form the reason for the claimant's unemployment; and

(b) Return the form to the division within ten (10) days after the date appearing on the form as the date of mailing.

(3) In computing the ten (10) day period:

(a) The day following the date of mailing of the notice shall be considered the first day; and

(b) if the tenth day falls on a day during which the division's office is closed, the next day thereafter on which the office is open shall be considered the tenth day.

Section 2. (1) Within ten (10) days after the termination of an alleged strike or labor dispute, the employer shall notify the division in writing of the termination. In computing the ten (10) day period:

(a) The day following the termination of the alleged strike or labor dispute shall be considered the first day; and

(b) If the tenth day falls on a day during which the division's office is closed, the next day thereafter on which the office is open shall be considered the tenth day. (22 Ky.R. 461; eff. 11-6-95; 33 Ky.R. 2176; 3180; eff. 5-4-2007.)